



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 83 34

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jesus Luis GONZALEZ,

Defendant.

MAGISTRATE CASE NO.:

COMPLAINT FOR VIOLATION OF

Title 18, U.S.C., Sections 111 & 1114
Assault on a Federal
Officer (Felony)

The undersigned complainant, being duly sworn, states:

That on or about April 19, 2008, within the Southern District of California, defendant Jesus Luis GONZALEZ did willfully and forcibly assault, resist, oppose, impede or interfere with a person named in Title 18, United States Code, Section 1114, to wit, U. S. Customs & Border Protection, Canine Enforcement Officer Isidro Cuen, was engaged in the performance of his official duties; in violation of Title 18, United States Code, Sections 111.

And the complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


CHRISTINA GAUTHREAUX
Special Agent
U. S. Immigration & Customs Enforcement

SWORN TO ME AND SUBSCRIBED IN MY PRESENCE THIS 21ST DAY OF APRIL
2008.


PETER C. LEWIS
U. S. Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

2 Jesus Luis GONZALEZ

3 STATEMENT OF FACTS

4 This Statement of Facts is based on the reports, documents, and notes furnished to
5 U. S. Immigration and Customs Enforcement Special Agent Christina Gauthreaux.

6
7 On April 19, 2008, at approximately 1535 hours, Nellie GONZALEZ was the driver of
8 a 2007 PT Cruiser as she entered the Calexico, CA West Port of Entry. Jesus Luis
9 GONZALEZ was a passenger in the vehicle.

10 During primary inspection, Customs & Border Protection (CBP) Officer Lee discovered
11 a warrant for Jesus Luis GONZALEZ for violation of parole. Officer Lee immediately escorted
12 Jesus Luis GONZALEZ, Nellie GONZALEZ and the vehicle to secondary for further inspection.
13 Officer Negron determined that Jesus Luis GONZALEZ was a positive match to the armed and
14 dangerous lookout. Officer Negron asked Officers Cuen and Felix to assist him and getting
15 Jesus Luis GONZALEZ got out of the vehicle. Jesus Luis GONZALEZ got out of the vehicle
16 and began to struggle with officers. Nellie GONZALEZ also got out of the vehicle and became
17 argumentative. Jesus Luis GONZALEZ refused to obey to officers' commands to stay down.
18 Nellie GONZALEZ refused to get back inside the vehicle.

19 Officer T. Negron began a patdown of Jesus Luis GONZALEZ. Jesus Luis GONZALEZ
20 attempted to pull away. Jesus Luis GONZALEZ started to struggle and attempted to flee.
21 Officers Negron and Cuen grabbed Jesus Luis GONZALEZ and attempted to take him to the
22 ground. Jesus Luis GONZALEZ fell on top of Officer Cuen and Officer Cuen was
23 subsequently injured. Jesus Luis GONZALEZ was handcuffed and taken inside the security
24 office.

24 Officer Cuen was taken to the hospital.

25 Jesus Luis GONZALEZ stated to agents that he was trying to ask officers what was
26 going on and next thing he knew, a bunch of inspectors were on top of him. Jesus Luis
27 GONZALEZ stated they used excessive force. Nellie GONZALEZ refused to speak to officers.